

FRUITS AND VEGETABLES**CANNED FRUIT**

20168. Misbranding of canned apricots. U. S. v. 97 Cases * * *. (F. D. C. No. 34581. Sample No. 42506-L.)

LABEL FILED: February 9, 1953, Eastern District of Wisconsin.

ALLEGED SHIPMENT: On or about January 7, 1953, by Hunt Foods, Inc., from Hayward, Calif.

PRODUCT: 97 cases, each containing 24 1-pound, 13-ounce cans, of apricots at Green Bay, Wis.

LABEL, IN PART: (Can) "Harvest Inn Brand Unpeeled Apricots Halves Heavy Syrup * * * Mixed Pieces of Irregular Sizes and Shapes."

NATURE OF CHARGE: Misbranding, Section 403 (h) (1), the product fell below the standard of quality for canned apricot halves since all of the apricot units were not untrimmed or so trimmed as to preserve normal shape and the label failed to bear, as required by the regulations, a statement that the product fell below the standard.

DISPOSITION: April 13, 1953. Default decree of condemnation. On April 22, 1953, the court ordered that the product be delivered to a charitable institution.

20169. Misbranding of canned peaches. U. S. v. 134 Cases * * *. (F. D. C. No. 34602. Sample No. 43054-L.)

LABEL FILED: January 14, 1953, Eastern District of New York.

ALLEGED SHIPMENT: On or about November 25, 1952, by the Pacific Grape Products Co., from Stockton, Calif.

PRODUCT: 134 cases, each containing 24 1-pound, 13-ounce cans, of peaches at Brooklyn, N. Y.

LABEL, IN PART: (Can) "A & P Sliced Yellow Cling Peaches In Heavy Syrup Grade A."

NATURE OF CHARGE: Misbranding, Section 403 (a), the label statement "Grade A" was false and misleading since the product was not of Grade A quality, because of variation in size and shape, color, texture, and appearance of the fruit.

DISPOSITION: April 28, 1953. The shipper, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond to be relabeled under the supervision of the Food and Drug Administration.

MISCELLANEOUS FRUIT PRODUCTS

20170. Adulteration and misbranding of blackberry jelly. U. S. v. 2 Cases * * *. (F. D. C. No. 33641. Sample No. 29669-L.)

LABEL FILED: August 15, 1952, Western District of Washington.

ALLEGED SHIPMENT: On or about July 10, 1952, by the Oswego Jelly Co., from Oswego, Oreg.

PRODUCT: 2 cases, each containing 24 12-ounce jars, of blackberry jelly at Seattle, Wash.